



SAS:sm 5/30/03 cp03/c16-us2

**FILE COPY**

*Receipt*

PATENT

Attorney Reference Number 5673-62083

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Bournnell et al.

Art Unit: 1636

Application No. 10/043,881

CERTIFICATE OF MAILING

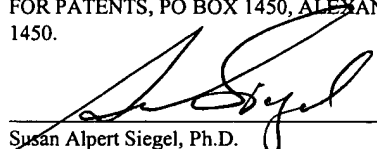
Filed: January 9, 2002

For: HERPESVIRUS VECTORS AND THEIR USES

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on May 30, 2003, as First Class Mail in an envelope addressed to: COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450.

Examiner: To be assigned

Date: May 30, 2003

  
Susan Alpert Siegel, Ph.D.  
Agent for Applicant

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TRANSMITTAL LETTER

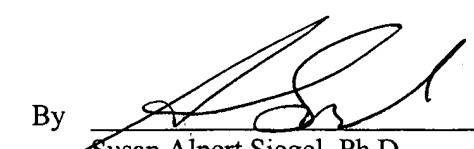
COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

Enclosed for filing in the application referenced above are the following:

- ☒ Request for Corrected Filing Receipt with attached Exhibits A-D
- ☒ The Director is hereby authorized to charge any additional fees that may be required, or credit over-payment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By   
Susan Alpert Siegel, Ph.D.  
Registration No. 43,121

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
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# FILE COPY

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENT  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/043,881	01/08/2002	Michael Edward Griffith Boursnell	5673-62083

**CONFIRMATION NO. 7700**

KLARQUIST SPARKMAN, LLP  
One World Trade Center, Suite 1600  
121 S. W. Salmon Street  
Portland, OR 97204



\*OC000000010270599\*

Date Mailed: 06/16/2003

## RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT

### Application Filing Date

In response to your request for a corrected Filing Receipt, the Office can not comply with your request because:

- ☒ If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, a petition to accord a filing date should be submitted along with a copy of the Express Mail label showing the "date in" and be directed to the Office of Petitions.
- ☐ A copy of the Express Mail label was not enclosed with your request. Petitions under 37 CFR 1.10 require a copy of the Express Mail Label to be submitted.
- ☐ The "date in" on the Express Mail label is the date given on the Filing Receipt.
- ☐ The filing date accorded to the application is the date the application met the filing date requirements of 37 CFR 1.53(b) or (c).
- ☐ Applications submitted with a certificate of mailing under 37 CFR 1.8 are accorded a filing date as of the date the application is received in the U.S. Patent and Trademark Office. A request to review the filing date accorded to the application must be in the form of a petition.
- ☐ The filing date on your return postcard is the same as the date on your Filing Receipt. A request to review the filing date accorded to the application must be in the form of a petition.

A petition under 37 CFR 1.10, 37 CFR 1.53 or 37 CFR 1.182 is needed to request a change to the filing date. A \$130 petition fee is required for a petition under 1.53 or 1.182. If you choose to file a petition, the petition and the \$130 petition fee, if any, to:

Box DAC  
Commissioner for Patents  
Washington, DC 20231

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Haimanot Tegbaru  
Customer Service Center  
Initial Patent Examination Division  
(703) 308-1202



05/30/03

PATENT  
Attorney Reference No. 5673-62083

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Bourns et al.

Application No. 10/043,881

Filed: January 9, 2002

For: HERPESVIRUS VECTORS AND THEIR  
USES

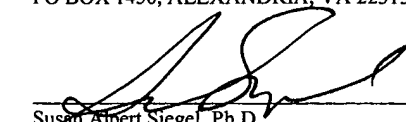
Art Unit: 1636

Examiner: To be assigned

Date: May 30, 2003

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service on 5/30/2003 as First Class Mail in an envelope addressed to: Office of Initial Patent Examination Customer Service Center, COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA, VA 22313-1450.

  
Susan Alpert Siegel, Ph.D.  
Agent for Applicant

RECEIVED  
JUN 19 2003  
TECH CENTER 1600/2900

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Office of Initial Patent Examination  
Customer Service Center  
COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants have received the official Filing Receipt for the application referenced above, a copy of which is attached as Exhibit A, with the requested correction shown in red ink.

The following error appears on the Filing Receipt:

ERROR	CORRECT INFORMATION
Filing Date: January 8, 2002	Filing Date: January 9, 2002

Applicants' records indicate that the subject application was deposited with the United States Postal Service as Express Mail on January 9, 2002, as noted by the date typed by Applicants in the header of the patent application (Exhibit B), and the deposit date typed on the return receipt postcard (Exhibit C). It appears that the U.S. Postal Service incorrectly wrote "1/8/02" as the "Date In" on the

Express Mail label (Exhibit D), and Applicants did not discover the error until receipt of the Official Filing Receipt.

Applicants request that the identified error I the filing date be corrected and that a new official Filing Receipt be issued showing that **January 9, 2002** is the actual filing date of the present application.


Please return the enclosed postcard to confirm that the items listed above have been received.

Please call the undersigned if any further information is required.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By

  
\_\_\_\_\_  
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cc: Docketing